

Senator Green was granted leave of absence for today on account of important business on motion of Senator Brown.

Senator Uribe was granted leave of absence for today on account of important business on motion of Senator Brown.

Senator Brooks was granted leave of absence for today on account of important business on motion of Senator Brown.

The President announced the lack of a quorum.

ADJOURNMENT

On motion of Senator Brown, the Senate at 11:31 a.m. adjourned until 11:00 a.m. tomorrow.

FIFTH DAY

(Tuesday, June 27, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Dickson, Edwards, Haley, Harris, Henderson, Johnson, Krier, Leedom, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Washington, Zaffirini.

Absent-excused: Carriker, Glasgow, Green, Lyon, Whitmire.

A quorum was announced present.

Senator Zaffirini offered the invocation as follows:

Lord, we rise in Your majesty this morning, united in our work, united in our plea that You continue to inspire us on the issues and guide us in our actions. Our petition to You this morning, Lord, is that You help each of us remember that no matter how much we know, how many we influence, or how high we climb, it is only You who are all-knowing, all-powerful and ever-present. We ask this in the name of Jesus, Your Son. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 23, 1989, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Carriker was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Green was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Lyon was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Whitmire was granted leave of absence for today on account of important business on motion of Senator Brooks.

MESSAGE FROM THE HOUSE

House Chamber
June 27, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 42, Relating to admissions to and programs at The University of Texas at Dallas.

H.C.R. 2, In memory of United States Representative Claude Pepper.

H.C.R. 5, Congratulating the San Jacinto College North baseball team.

H.C.R. 11, Proclaiming Longview as the "Loblolly Capital of Texas."

H.C.R. 25, Congratulating the Paris High School baseball team.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

RESOLUTION SIGNED

The President announced the signing, in the presence of the Senate, the following enrolled resolution:

S.C.R. 1

REPORT OF STANDING COMMITTEE

Senator Brooks submitted the following report for the Committee on Health and Human Services:

S.B. 9
C.S.S.B. 20
C.S.S.B. 31

HOUSE BILL AND RESOLUTION ON FIRST READING

The following bill and resolution received from the House were read the first time and referred to the Committee indicated:

H.C.R. 18, To Committee on State Affairs.

H.B. 42, To Committee on Education.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.J.R. 1 by Parmer State Affairs
Proposing a constitutional amendment providing for issuance of general obligation bonds to finance a housing trust fund.

S.B. 41 by McFarland Economic Development
Relating to products liability actions.

- S.B. 42** by Green Jurisprudence
Relating to the jurisdiction of certain justice of the peace courts and county courts.
- S.B. 43** by Green Economic Development
Relating to the regulation of certain insurance agents, including agents who engage in the bail bond business; creating offenses and providing penalties.
- S.B. 44** by Haley Intergovernmental Relations
Relating to the composition of the 369th Judicial District.
- S.B. 45** by Zaffirini, Brooks, Johnson, Tejeda Health and Human Services
Relating to a requirement that child care facilities post signs regarding the reporting of child abuse or neglect; providing penalties.
- S.B. 46** by Parmer State Affairs
Relating to the provision of affordable housing, other housing matters, and development projects; providing for the issuance of bonds.
- S.B. 47** by Montford Jurisprudence
Relating to the appearance of certain attorneys in contested civil cases.
- S.B. 48** by Montford Education
Relating to the courses and degrees offered at The University of Texas of the Permian Basin.
- S.B. 49** by Harris Economic Development
Relating to alcohol beverage regulation; and making an appropriation.
- S.B. 50** by Parker Natural Resources
Relating to the contract authority of the Jefferson County Drainage District No. 7.
- S.B. 51** by Bivins Natural Resources
Relating to property rights in, and the establishment of a wildlife management area along, certain river beds.
- S.B. 52** by Montford, Brooks State Affairs
Relating to certain self-insurance funds created by certain boards of regents.
- S.B. 53** by McFarland State Affairs
Relating to the state allocation and reservation system for private activity bonds and to bonds issued by an industrial development corporation.

CO-SPONSORS OF HOUSE BILL 42

On motion of Senator Harris and by unanimous consent, Senators Edwards and Johnson will be shown as Co-sponsors of **H.B. 42**.

CO-SPONSORS OF HOUSE CONCURRENT RESOLUTION 18

On motion of Senator Brown and by unanimous consent, Senators McFarland, Santiesteban, Armbrister, Sims, Ratliff, Edwards, Montford, Haley, Leedom and Henderson will be shown as Co-sponsors of **H.C.R. 18**.

GUEST PRESENTED

Senator Armbrister was recognized and presented Dr. Barbara Conner of Hallettsville.

Dr. Conner, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for her service today.

SENATE RESOLUTION 58

Senator Truan offered the following resolution:

WHEREAS, Throughout South Texas, civic leaders and plain folk alike mourn the loss of Joe Durham of Corpus Christi whose long and distinguished career in community development and the improvement of living conditions will continue to benefit the region he served so well; and

WHEREAS, Born in Cleburne, Texas, in 1931, Mr. Durham attended schools in San Antonio and answered his country's call to defend our democratic ideals in the United States Army from 1953 to 1955; and

WHEREAS, Moving to Corpus Christi in the year of his discharge, he joined the Central Power and Light Company in the district office and remained with the company for 34 years, rising to Director of Governmental Affairs; and

WHEREAS, Working closely with cities and towns in the Central Power and Light Company's South Texas service area, he always strove for the betterment of life in these communities; and

WHEREAS, In Corpus Christi, he was vigorously active in the Junior Chamber of Commerce and the Robert L. Moore Community Center, both of which he served as president, and in Goodwill Industries and the United Fund; and

WHEREAS, Joe Durham's talent for and devotion to civic amelioration was recognized early for he was "Jaycee of the Year" in 1959, after only four years residence in Corpus Christi, and the same organization named him "Outstanding Young Man in Corpus Christi" in 1962; now, therefore, be it

RESOLVED by the Senate of the State of Texas, 71st Legislature, 1st Called Session, That the purposeful, compassionate, and effective work of Joe Durham for the people of his place and time be extolled and held up as a model for all to follow and that sympathy be extended to his bereaved family: his wife, Ruby Jo; his daughters, Linda Jo and Debra Ann; and his two grandchildren; and, be it further

RESOLVED, That copies of this Resolution be prepared for those held dear by Joe Durham in token of sorrowful respect from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Joe Durham.

TRUAN
PARKER
ARMBRISTER

The resolution was read.

On motion of Senator Parker and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Truan, the resolution was adopted viva voce vote.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Harris and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Economic Development might consider S.B. 49 at 2:00 p.m. today.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Brooks and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Health and Human Services might consider S.B. 45 upon adjournment today.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Parker and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Education might consider **H.B. 42** upon adjournment today.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Montford and by unanimous consent, Senate Rule 11.11 and all necessary rules were suspended in order that the Committee on State Affairs might consider the following bills and resolutions at 9:00 a.m. tomorrow:

H.C.R. 18

S.J.R. 1

S.C.R. 2

S.B. 3

S.B. 4

S.B. 8

S.B. 13

S.B. 14

S.B. 19

S.B. 39

S.B. 46

S.B. 52

S.B. 53

MEMORIAL RESOLUTIONS

H.C.R. 2 - (Brooks): In memory of United States Representative Claude Pepper.

S.R. 52 - By Montford: In memory of Lena Short of Tahoka.

S.R. 53 - By Parmer, Glasgow: In memory of William E. Jary, Jr., of Fort Worth.

S.R. 55 - By Glasgow, Parmer: In memory of Michael M. Winesanker.

S.R. 56 - By Glasgow, Parmer, McFarland: In memory of the Honorable Joe Spurlock, Sr.

S.R. 57 - By Parmer, Glasgow: In memory of Dr. John W. Garnett, Jr., of Tarrant County.

CONGRATULATORY RESOLUTIONS

S.C.R. 11 - By Zaffirini: Commending the exceptional work of the League of United Latin American Citizens (LULAC) and honoring its national president, Mr. Jose Garcia DeLara, on the organization's 60th National Convention.

S.R. 22 - By Barrientos: Commending Myrtle Arvern Johnson on the conclusion of a successful career in which she made notable contributions to her field of business education.

S.R. 23 - By Edwards: Extending congratulations to Dawn Story on her splendid showing at the State Solo and Ensemble Contest.

S.R. 24 - By Edwards: Extending congratulations to Mr. and Mrs. Louis Kramer of McGregor on their 50th wedding anniversary.

S.R. 25 - By Edwards: Extending congratulations to Julius and Hazel Philpot on their 50th wedding anniversary.

S.R. 26 - By Edwards: Extending congratulations to Mr. and Mrs. Reubin Ray on their 50th wedding anniversary.

S.R. 27 - By Edwards: Extending congratulations to Mr. and Mrs. Andrew Tennery of Waxahachie on their 50th wedding anniversary.

S.R. 28 - By Edwards: Extending congratulations to Mr. and Mrs. John C. Herrington on their 50th wedding anniversary.

S.R. 29 - By Edwards: Commending Joe Dobkins of Red Oak for his unique ability to express the true spirit of this great state, and declaring him an Ambassador of Goodwill with instructions to keep on grinning.

S.R. 30 - By Edwards: Extending congratulations to Mr. and Mrs. James Gaston of Trinidad on their 50th wedding anniversary.

S.R. 31 - By Edwards: Extending congratulations to Mr. and Mrs. William Martin of Seven Points on their 50th wedding anniversary.

S.R. 32 - By Edwards: Extending congratulations to Mr. and Mrs. Melton Shelton on their 50th wedding anniversary.

S.R. 33 - By Edwards: Extending congratulations to Mr. and Mrs. Joe Self of Enchanted Oak on their 50th wedding anniversary.

S.R. 34 - By Edwards: Extending congratulations to Mr. and Mrs. William Noah on their 50th wedding anniversary.

S.R. 35 - By Edwards: Extending congratulations to Mr. and Mrs. Wesley Dyess of Waxahachie on their 50th wedding anniversary.

S.R. 36 - By Edwards: Extending congratulations to Mr. and Mrs. Monico E. Bernal of Waxahachie on their 50th wedding anniversary.

S.R. 37 - By Edwards: Extending congratulations to Jeff Dunham on being named an All-American Scholar.

S.R. 38 - By Edwards: Commending George Wilson Smith, M.D., for his involvement in the excellent preceptorship program of the Texas Academy of Family Physicians.

S.R. 39 - By Edwards: Commending Glen R. Couchman, M.D., for his involvement in the excellent preceptorship program of the Texas Academy of Family Physicians.

S.R. 40 - By Edwards: Commending Amy McWhorter on her splendid accomplishments.

S.R. 41 - By Edwards: Commending Robert Cortes, Jr., M.D., for his involvement in the excellent preceptorship program of the Texas Academy of Family Physicians.

S.R. 42 - By Edwards: Commending Bryan Stone, M.D., for his involvement in the excellent preceptorship program of the Texas Academy of Family Physicians.

S.R. 43 - By Edwards: Extending congratulations to Reverend and Mrs. Walter T. Brown on their 50th wedding anniversary.

S.R. 44 - By Barrientos: Extending congratulations to Dr. Hans Mark, Chancellor of The University of Texas System, on his 60th birthday.

S.R. 45 - By Edwards: Extending congratulations to Mr. and Mrs. Otho L. Butts of Waco on their 50th wedding anniversary.

S.R. 46 - By Edwards: Extending congratulations to Mr. and Mrs. Charlie Taylor of Waxahachie on their 50th wedding anniversary.

S.R. 47 - By Armbrister: Extending congratulations to Mrs. Ida Nollkamper of Shiner on her 100th birthday.

S.R. 48 - By Edwards: Extending congratulations to Mr. and Mrs. Eusebio Pecina on their 50th wedding anniversary.

S.R. 49 - By Edwards: Extending congratulations to Mark Conaway on his superb showing in Austin.

S.R. 50 - By Sims: Commending the Trans-Pecos Development Commission for its support of a 2,250 bed maximum or 1,000 bed minimum to medium security facility.

S.R. 51 - By Krier: Extending congratulations to VIA Metropolitan Transit of San Antonio for earning the prestigious 1988 Safety Achievement Award.

S.R. 54 - By Glasgow: Extending congratulations to Lucile Mayfield for her excellent coverage of the news of Clairette and the surrounding area and commending her for her invaluable contributions to the citizens of her town.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 11:18 a.m. adjourned until 11:00 a.m. tomorrow.

Signed by Governor
(June 26, 1989)

H.C.R. 4

SIXTH DAY (Wednesday, June 28, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Zaffirini.

Absent-excused: Whitmire.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Eternal Father, throughout this day we pray that You will be our unseen companion and that, because of Your grace, we are all called to a greater level of service and a stronger belief in ourselves. May each one here know the importance